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December 5, 2022

Via ECF

Honorable Ona T. Wang
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED.

Re: Dass v. City University of New York, et al.
Civil Acton No. 18-CV-11325 (VSB) (OTW)

Dear Judge Wang:

I am the Senior Counsel in the office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney for Defendants in the above-referenced action. Defendants write in response to the Court's December 1, 2022 order, in part, notifying the parties that discovery will close in this matter on December 19, 2022. (Dkt. No. 184). Defendants write to respectfully inquire regarding the Court's pending decision on their motion seeking an additional hour and thirty minutes to complete Plaintiff's deposition pursuant to FRCP 30(d)(1) and an additional five hours to complete Plaintiff's deposition. (Dkt. No. 109).

During the March 1, 2022 status conference, Your Honor indicated that the subject motion would be tabled until Plaintiff's motion to file a Second Amended Complaint ("SAC") was decided. (Dkt. No. 146-5 at pp. 26:22-27:7.). On September 15, 2022, the Court denied Plaintiff's motion to file a SAC. (Dkt. No.167). However, on September 29, 2022, Plaintiff filed an objection to Your Honor's order regarding her motion to file a SAC, among other things. That objection remains pending before Judge Broderick. (Dkt. No. 173). Defendants respectfully requests that if Your Honor grants Defendants' motion for additional time to complete Plaintiff's deposition, Defendants be allowed to proceed with the deposition even if discovery is closed.

Thank you for your consideration of this request.

ECF Nos. 109 and 185 are denied without prejudice
to renewal pending the resolution of ECF 173.

SO ORDERED.

Ona T. Wang
U.S.M.J. 12/6/22

Respectfully submitted,

Edwar Estrada /s/

Edwar Estrada, Esq.
Counsel for Defendants